

# HOUSE BILL 629

E1

6lr2483

---

By: **Delegates Moon, Anderson, Atterbeary, Carter, Cullison, Hayes, McCray,  
Platt, Sanchez, and Smith**

Introduced and read first time: February 4, 2016

Assigned to: Judiciary

---

## A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Law – Law Enforcement Officers – Misconduct**

3 FOR the purpose of prohibiting a law enforcement officer from intentionally disabling video  
4 or audio recording devices in violation of certain policies; prohibiting a law  
5 enforcement officer from causing injury to a person in the law enforcement officer's  
6 custody by intentionally failing to request medical assistance for the person;  
7 prohibiting a law enforcement officer from causing injury to a person by discharging  
8 a firearm in violation of certain policies; establishing certain penalties for certain  
9 violations of this Act; defining certain terms; and generally relating to law  
10 enforcement officers.

11 BY adding to

12 Article – Public Safety

13 Section 3–514

14 Annotated Code of Maryland

15 (2011 Replacement Volume and 2015 Supplement)

16 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

17 That the Laws of Maryland read as follows:

18 **Article – Public Safety**

19 **3–514.**

20 **(A) (1) “LAW ENFORCEMENT AGENCY” HAS THE MEANING STATED IN §**  
21 **3–201 OF THIS TITLE.**

---

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1           **(2) “LAW ENFORCEMENT OFFICER” MEANS ANY PERSON WHO, IN AN**  
2 **OFFICIAL CAPACITY, IS AUTHORIZED TO MAKE ARRESTS AND WHO IS AN EMPLOYEE**  
3 **OF A LAW ENFORCEMENT AGENCY.**

4           **(B) A LAW ENFORCEMENT OFFICER MAY NOT INTENTIONALLY DISABLE A**  
5 **BODY CAMERA, A DASH CAMERA, OR ANY OTHER VIDEO OR AUDIO RECORDING**  
6 **DEVICE IN VIOLATION OF THE POLICY FOR SUCH RECORDINGS ESTABLISHED BY THE**  
7 **LAW ENFORCEMENT AGENCY THAT EMPLOYS THE LAW ENFORCEMENT OFFICER.**

8           **(C) A LAW ENFORCEMENT OFFICER MAY NOT CAUSE INJURY TO A PERSON**  
9 **DETAINED OR IN THE CUSTODY OF THE LAW ENFORCEMENT OFFICER BY**  
10 **INTENTIONALLY FAILING TO REQUEST MEDICAL ASSISTANCE FOR THE PERSON.**

11           **(D) A LAW ENFORCEMENT OFFICER MAY NOT DISCHARGE A FIREARM AND**  
12 **CAUSE INJURY TO ANOTHER IF THE DISCHARGE WAS IN VIOLATION OF THE POLICY**  
13 **FOR USE OF FORCE ESTABLISHED BY THE LAW ENFORCEMENT AGENCY THAT**  
14 **EMPLOYS THE LAW ENFORCEMENT OFFICER.**

15           **(E) (1) A PERSON WHO VIOLATES SUBSECTION (B) OF THIS SECTION IS**  
16 **GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO IMPRISONMENT**  
17 **NOT EXCEEDING 1 YEAR OR A FINE NOT EXCEEDING \$25,000 OR BOTH.**

18           **(2) A PERSON WHO VIOLATES SUBSECTION (C) OF THIS SECTION IS**  
19 **GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO IMPRISONMENT**  
20 **NOT EXCEEDING 2 YEARS OR A FINE NOT EXCEEDING \$25,000 OR BOTH.**

21           **(3) A PERSON WHO VIOLATES SUBSECTION (D) OF THIS SECTION IS**  
22 **GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO IMPRISONMENT**  
23 **NOT EXCEEDING 5 YEARS OR A FINE NOT EXCEEDING \$25,000 OR BOTH.**

24           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
25 October 1, 2016.